

REMARKS

In the March 11, 2004 office action, the Examiner noted that the Section 112 basis of rejection had been overcome with respect to claims 9-23. The Examiner noted that claims 18-23 were objected to but noted that the objection could be overcome with an amendment to those claims to remove the dependency on a rejected claims. The foregoing amendment addresses that basis of rejection placing those claims as they are now in a position for allowance.

Further, in the March 11, 2004 office action, the Examiner also stated that claims 1-8 were allowed. Based on a September 10, 2004 conversation with the Examiner, the indication that those claims were allowed was an error as they were withdrawn. The Examiner further stated that claims 9-17 were rejected based on the arguments in the May 14, and July 29, 2003 office actions. No May 14, 2003 office action exists. Applicants note that May 14, 2003 was Applicants' response to the denial of claims 9-23 which has been deemed acceptable by the Examiner.

With respect to the outstanding bases of rejection for claims 9-17, Applicants respectfully submit that even if the antibody was known, undue experimentation would have been required to achieve the specificity and sensitivity of Applicants' assay.

CONCLUSION

Applicants respectfully submit that the present invention is not obviated by the teachings and that the patent application and claims therein, as amended, are in a condition for allowance. Reconsideration is, therefore, respectfully requested.

Respectfully submitted,

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